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Attorney's Docket No. 5038-118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Richard L. Coulson

Serial No.: 09/981,620

Examiner: unknown

Filed: October 16, 2001

Group Art Unit: unknown

For: MASS STORAGE CACHING PROCESSES FOR POWER REDUCTION

Box SN
Assistant Commissioner for Patents
Washington, DC 20231

PETITION UNDER 37 C.F.R. §1.10(d) TO OBTAIN
CORRECT FILING DATE FOR PATENT APPLICATION

Applicant filed the above-referenced patent application under 37 CFR 1.10 by depositing it with the United States Postal Service (USPS) on October 16, 2001 using the Express Mail Post Office to Addressee service of the USPS. The "date-in" on the Express Mail mailing label was incorrectly entered as October 15, 2001 by the USPS. Applicant hereby petitions the Commissioner under 37 C.F.R. §1.10(d) to accord the above-referenced patent application a filing date of October 16, 2001 as the date the patent application was deposited with the United States Postal Service.

The number of the Express Mail mailing label was properly placed on the papers that constitute the correspondence prior to the original mailing by Express Mail as shown in Exhibits A and B to the Declaration of Janet Sullivan (copies of the transmittal letter and Express Mail receipt showing the same Express Mail number EL792473238US).

This petition includes a showing which establishes that the requested filing date was the date the correspondence was deposited in the Express Mail Post Office to Addressee service prior to the last scheduled pickup for that date. Specifically, the attached Declaration of Janet Sullivan attests to the deposit of this application in the Express Mail Post Office to Addressee service of the USPS at the U.S. Post Office located at 1211 Daniels, Vancouver, WA 98660 prior to the last scheduled pickup for October 16, 2001.

This showing is corroborated by evidence from the USPS. Specifically, Exhibit A is a printout of the Track & Confirm website of the USPS showing the shipment history of Express Mail No. EL730606756US.

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The shipment history shows the following entry for the application: "ACCEPTANCE, October 16, 2001, 4:32pm, VANCOUVER, WA 98660". This is consistent with time on the Express Mail (Exhibit B of Sullivan Declaration) as asserted by Applicant.

In view of the above showing, Applicant requests that the above-referenced patent application be accorded a filing date of October 16, 2001.

Also enclosed is a copy of form PTO-2038 authorizing payment in the amount of \$130.00 for the petition fee.

Any deficiency or overpayment should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



Alan T. McCollom

Reg. No. 28,881

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
(503) 222-3613

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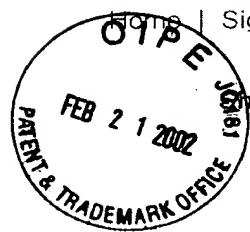
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FOR PATENTS, WASHINGTON D.C.
20231

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ON: 2/6/02
Christina L. Weston



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Shipment History

You entered EL73 0606 756U S

Your item was delivered at 7:36 am on October 18, 2001 in WASHINGTON, DC 20231 to PATENTS 20231. The item was signed for by M M ANDERSNN.

Here is what happened earlier:

- ARRIVAL AT UNIT, October 18, 2001, 4:12 am, ZIP Code 20096
- ENROUTE, October 16, 2001, 6:13 pm
- ACCEPTANCE, October 16, 2001, 4:32 pm, VANCOUVER, WA 98660

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Track & Confirm

Enter number from shipping receipt in the field below:



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Ex A
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Attorney's Docket No. 5038-118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Richard L. Coulson

Serial No.: 09/981,620

Examiner: unknown

Filed: October 16, 2001

Group Art Unit: unknown

For: MASS STORAGE CACHING PROCESSES FOR POWER REDUCTION

Box SN
Assistant Commissioner for Patents
Washington, DC 20231

DECLARATION OF JANET SULLIVAN

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This statement accompanies the Petition Under 37 C.F.R. §1.10(d) to obtain date received for the above-referenced patent application.

1. I am currently employed by the firm of Marger Johnson & McCollom, P.C., and I was employed Marger Johnson & McCollom, P.C. on October 16, 2001.
2. The above-referenced patent application was deposited with the United States Postal Service (USPS) on October 16, 2001.

3. Exhibit A is a copy of the transmittal letter included with the application. This transmittal letter included the Express Mailing label No. EL730606756US as shown in Exhibit A.

4. Exhibit B is a copy of the Express Mail receipt returned from the United States Postal Service. The “date-in” on this receipt was incorrectly entered by the USPS as October 15, 2001. The actual date of deposit was October 16, 2001. The receipt shows the Express Mailing No. EL730606756US.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



The image shows a handwritten signature in black ink. The signature reads "Janet Sullivan" and is written in a cursive, flowing script. Below the signature, the name "Janet Sullivan" is printed in a smaller, more formal font.

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
(503) 222-3613



PATENT APPLICATION
Attorney's Do. No. 5038-118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL

MAILING LABEL NO. EL 730 606 756 US

DATE OF DEPOSIT: OCTOBER 16, 2001

I HEREBY CERTIFY THAT THIS PAPER AND ENCLOSURES AND/OR FEE ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

JANET SULLIVAN
(SENDER'S PRINTED NAME)

Janet Sullivan
(SIGNATURE)

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Enclosed for filing is a patent application under 37 CFR 1.53(b) of:

Inventor: Richard L. Coulson

For: MASS STORAGE CACHING PROCESSES
FOR POWER REDUCTION

This application is a continuation, divisional, continuation-in-part of prior application Serial No. _____, filed _____.

Prior application info: Examiner: _____ Group Art Unit _____

Applicant requests FIG. 1 to be published with the application.

Enclosures:

- Specification (pages 1-9); claims (pages 10-18); abstract (page 19)
- THREE sheet(s) of FORMAL drawings (4 Figures)
- Declaration or Combined Declaration and Power of Attorney
- Newly executed (original or copy)
- Copy from a prior application (37 CFR 1.63(d))
- Incorporation by Reference--The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- Deletion of Inventors (signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))
- Power of Attorney

Assignment with cover sheet
Assignee Name and Address:

Intel Corporation
2200 Mission College Blvd.
P.O. Box 58119
Santa Clara, California 95052-8119

Certified copy of priority document
 Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) for Nonpublication
 Form PTO 1449 with cited references
 Preliminary Amendment
 Return Postcard

CLAIMS AS FILED				
For	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	51-20	31	x \$ 18 =	\$558
Independent Claims	7-3	4	x \$ 84 =	\$336
TOTAL FILING FEE				\$1,634

Cancel in this divisional application original claims _____ of the prior application Serial No. _____ before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
 PTO Form 2038 authorizing credit card payment in the amount of \$_____ to cover filing fee (\$_____) and assignment recordal fee (\$40) is enclosed.
 Any deficiency or overpayment should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.



20575

PATENT TRADEMARK OFFICE

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

MARGER JOHNSON & McCOLLOM, P.C.
1030 S.W. Morrison Street
Portland, OR 97205
(503) 222-3613



**POST OFFICE
TO ADDRESSEE**

UNITED STATES POSTAL SERVICE®



EL 730606756 US

ORIGIN (POSTAL USE ONLY)	
PO ZIP Code <i>10160</i>	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Saturday <input type="checkbox"/> Sunday
Date In <i>10/15/01</i>	Flat Rate Envelope <input type="checkbox"/>
Mo. Day Year	Postage <i>16.5</i>

TIME IN	
Time In <i>10:30 AM</i>	1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>
Weight lbs. <i>.12</i>	Alpha County Code <i>00000</i>
No Delivery <input type="checkbox"/>	COD Fee <i>1.00</i>
Weekend <input type="checkbox"/>	Insurance Fee <i>1.00</i>
Holiday <input type="checkbox"/>	Total Postage & Fees <i>18.50</i>

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NO DELIVERY Weekend Holiday Customer Signature

Federal Agency Acct. No. or
Postal Service Acct. No.

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

FROM: (PLEASE PRINT)
JAMES E. JOHNSON & McCULLAGH, P.C.

PHONE *503 222-3613*

TO: (PLEASE PRINT)
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PHONE *1*

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PORTLAND OR 97205-2626*

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WASHINGTON, D.C. 20540-2626*

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Page *1* of *1*

5038-118 (JLR/Jrs) 10/16/01

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